

Original Title Page

NEBRASKA WIRELESS TERMINATING TRAFFIC TARIFF

Nebraska Independent Telephone Association

Issued:

Effective:

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 1

Table of Contents

	<u>Sheet No.</u>
A. Application of Tariff	2
B. General	3
C. Definitions	4
D. Liability of Telephone Company	5
E. Records and Billing	6
F. Verification Reviews	7
G. Refusal and Discontinuance of Service	8
H. Rates and Charges	9

Issued:

Effective:

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 2

Wireless Termination Service

A Application of Tariff

This tariff of the Nebraska Independent Telephone Association (NITA), for Wireless Termination Service provided by each NITA member company listed below and hereinafter referred to as "the Telephone Company," applies to intraMTA traffic originated by a Commercial Mobile Radio Service (CMRS) provider, and terminated to end-user subscribers of the Telephone Company; i.e., wireless to wireline traffic, without the direct interconnection of the CMRS provider's and the Telephone Company's networks and where the CMRS provider is physically connected with, and delivers traffic to, a third party ILEC(s) which, in turn, delivers the traffic to the Telephone Company.

Participating NITA member telephone companies:

Clarks Telecommunications Co.
Consolidated Telco, Inc.
Consolidated Telephone Company
Curtis Telephone Company
Dalton Telephone Company
Diller Telephone Company
Elsie Communications, Inc.
Glenwood Telephone Membership Corporation
Hartington Telecommunications Company, Inc.
Henderson Cooperative Telephone Company
Hershey Cooperative Telephone Company
Home Acquisition Company
Hooper Telephone Company, d/b/a WasTel Systems
K&M Telephone Company
Keystone-Arthur Telephone Company
Plainview Telephone Company
Stanton Telecom, Inc.
Three River Telco

Issued:

Effective

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 3

Wireless Termination Service

B. General

1. This service is provided to CMRS providers licensed by the Federal Communications Commission (FCC).
2. Wireless Termination Service is limited to wireless-to-wireline traffic that originates and terminates within the same Major Trading Area (MTA); i.e., intraMTA traffic.
3. Wireless Termination Service is not available to wireless-to-wireline traffic that originates and terminates in two different MTAs; i.e., interMTA traffic. In those situations where a CMRS provider terminates interMTA traffic to the end-user subscribers of the Telephone Company then the rates, terms and conditions of the appropriate access tariff of the Telephone Company (either intrastate or interstate) will apply.
4. These Regulations and Rates are in addition to the Regulations, Rates and Charges in other Telephone Company tariffs.
5. This tariff applies except as otherwise provided in:
1) an interconnection agreement between the CMRS provider and the Telephone Company approved by the Commission pursuant to the Act; or 2) a terminating traffic agreement between the CMRS provider and the Telephone Company approved by the Commission.

Issued:

Effective:

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 4

Wireless Termination Service

C. Definitions

1. Act - the Communications Act of 1934, as amended by the Telecommunications Act of 1996, and as from time to time interpreted in the duly authorized rules and regulations of the Federal Communications Commission or a state regulatory commission.
2. CTUSR - Cellular Terminating Usage Summary Report, a report provided by a tandem provider to the Telephone Company that includes network usage data of traffic originating from a CMRS provider and terminating to the Telephone Company.
3. CMRS - Commercial Mobile Radio Service, as defined in the Act.
4. Commission - Nebraska Public Service Commission.
5. FCC - Federal Communications Commission.
6. ILEC - incumbent local exchange telecommunications company, a local exchange telecommunications company authorized to provide basic local telecommunications service in a specific geographic area within the State of Nebraska as of December 31, 1995, or a successor in interest to such a company.
7. InterMTA Traffic - wireless traffic originating on the network of a CMRS provider within an MTA and terminating to the Telephone Company's end-user subscribers in another MTA.
IntraMTA Traffic - wireless traffic originating on the network of a CMRS provider within an MTA and terminating to the Telephone Company's end-user subscribers in the same MTA.
9. IXC - interexchange carrier, a telecommunications company engaged in the provision of telecommunications service between points in two or more exchanges served by an ILEC and/or CLEC.
10. LEC - local exchange carrier, includes any provider of local exchange telecommunications service that holds a certificate of convenience and necessity or certificate of service authority from the Commission.
11. MTA - Major Trading Area as defined in 47 C.F.R., §24.102 of the FCC Rules and Regulations.

Issued:

Effective:

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 5

Wireless Termination Service

D. Liability of the Telephone Company

The Telephone Company's failure to provide or maintain service under this tariff shall be excused by labor difficulties, government orders, civil commotions, acts of God and other circumstances beyond the Telephone Company's reasonable control.

2. The Telephone Company's liability, if any, for its gross negligence or willful misconduct is not limited by this tariff. With respect to any other claim or suit, by a carrier or any other, for damages arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission, the Telephone company's liability, if any, shall not exceed an amount equivalent to the proportionate charge to the CMRS provider for the period of service during which such mistakes, omissions, interruptions, delays, errors or defects in transmission or service occurs and continues. Any such mistakes, omissions, interruptions, delays, errors or defects in transmission of service, which are caused or contributed to by the negligence or willful act of the CMRS provider or which arise from the use of the CMRS provider's facilities or equipment, shall not result in the imposition of any liability whatsoever upon the Telephone Company.
3. The Telephone Company is not liable for any act or omission of other providers.

Issued:

Effective:

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 6

Wireless Termination Service

E. Records and Billing

1. The Telephone company shall issue a bill to the CMRS provider based on the best information available to the Telephone Company including, but not limited to, records of terminating traffic created by the Telephone Company at its end office or a tandem switch.
2. If possible, the CMRS provider will provide to the Telephone Company billing records, in standard industry formats, for calls it originates that terminate on the Telephone Company's network. Records will be provided at an individual call detail record, if possible, with sufficient information to identify the specific date and time of the call, the call duration, and the originating and terminating numbers.
3. If a CMRS provider is unable to provide billing records of the calls that it originates to the Telephone Company, the Telephone Company may use usage reports and/or records (such as a CTUSR) generated by a third party ILEC whose network is used to transit the traffic as the basis for billing the CMRS provider. If the CMRS provider is unable to provide billing records and the Telephone Company can not distinguish the MTA in which the call originated, the telephone company will bill that call as an intramTA call according to the terms of this tariff.
4. The CMRS provider shall pay the Telephone Company for all charges in accordance with the rates set forth in this tariff. Such payments are to be received within thirty (30) days from the effective date of the billing statement. The CMRS provider shall pay a late charge on any undisputed charges which are not paid within the thirty (30) day period. The rate of the late charge shall be the lesser of 1.5 percent per month or the maximum amount allowed by law. The CMRS provider shall pay the Telephone Company the reasonable amount of the Telephone Company's expenses related to collection of overdue bills, such amounts to include reasonable attorney fees.

Issued:

Effective:

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 7

Wireless Termination Service

F. Verification Reviews

The CMRS provider will be responsible for the accuracy and quality of its data as submitted to the Telephone Company. Upon reasonable written notice, the Telephone Company, or its authorized representative, shall have the right to conduct a review and verification of the CMRS provider to give assurances of compliance with the provisions of this tariff. This includes on-site verification reviews at the CMRS provider or vendor locations. The review may consist of an examination and verification of data involving records, systems, procedures and other information related to the traffic originated by the CMRS provider and terminated to the Telephone Company. The CMRS provider will provide the Telephone Company with reasonable access to such information as is necessary to determine the amounts payable under this tariff.

Issued:

Effective:

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 8

Wireless Termination Service

G. Refusal and Discontinuance of Service

1. If the CMRS provider fails to comply with any of the terms and conditions of this tariff, including any payments to be made by it on the dates and times herein specified, the Telephone Company may, on thirty (30) day's written notice by Certified U.S. Mail to the CMRS provider, refuse additional applications for service and/or refuse to complete any pending orders for service by the non-complying CMRS provider at any time thereafter, or may discontinue the provision of the services to the non-complying CMRS provider at any time thereafter. In the case of such discontinuance, all applicable charges, including termination charges, shall become due.
2. If the Telephone Company does not refuse additional applications for service or discontinue the provision of the services involved on the date specified in the thirty (30) day's notice, and the CMRS provider's noncompliance continues, nothing contained herein shall preclude the Telephone Company's right to refuse additional applications for service or to discontinue the provision of the services to the non-complying CMRS provider without further notice.
3. If the Telephone Company is unable to effectuate discontinuance of service at its own office, it may request the assistance of the ILECs with whom the Telephone Company's network is connected. The Telephone Company may request such other ILEC(s) to take the necessary steps within its/their office(s) to disconnect service to the non-complying CMRS provider, or to take such other action as is necessary and appropriate to effectuate discontinuance of service as authorized by this tariff. This tariff specifically gives authority to such other ILECs to respond to and honor a request to effect discontinuance of service from the CMRS provider to the Telephone Company without further regulatory authorization.

Issued:

Effective:

Nebraska Independent Telephone Association
Wireless Terminating Traffic Tariff

Original Sheet 9

Wireless Termination Service

H Rates and Charges

1. The rates and rate elements applicable to interMTA traffic are set forth in the Telephone Company's Switched Access Tariff.
2. The per minute of use (MOU) rates for termination of intramTA traffic are shown below:

<u>Company</u>	<u>Terminating Wireless Traffic Rate</u>
Clarks Telecommunications Co.	0.075891/MOU
Consolidated Telco, Inc.	0.101000/MOU
Consolidated Telephone Company	0.100300/MOU
Curtis Telephone Company	0.069378/MOU
Dalton Telephone Company	0.077981/MOU
Diller Telephone Company	0.074314/MOU
Elsie Mutual Telephone Company	0.070994/MOU
Glenwood Telephone Membership Corp.	0.069775/MOU
Hartington Telecommunications Co., Inc.	0.063208/MOU
Henderson Cooperative Telephone Co.	0.065669/MOU
Hershey Cooperative Telephone Co.	0.064779/MOU
Home Acquisition Company	0.090300/MOU
Hooper Telephone Co., d/b/a Westel Sys.	0.064004/MOU
K&M Telephone Company	0.077445/MOU
Keystone-Arthur Telephone Company	0.075011/MOU
Plainview Telephone Company	0.067719/MOU
Stanton Telecom, Inc.	0.063563/MOU
Three River Telco	0.085078/MOU

Issued:
DOCS/499681.1

Effective: